

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FAMILIAS UNIDAS POR LA JUSTICIA,
AFL-CIO,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
LABOR; JULIE A SU, in her official
capacity, Acting United States Secretary of
Labor; WASHINGTON STATE
EMPLOYMENT SECURITY
DEPARTMENT; CAMI FEEK, in her official
capacity, Commissioner of Employment
Security,

Defendants.

CASE NO. 2:24-cv-00637-JHC

ORDER

This matter comes before the Court on the Federal Defendants' Motion for Reconsideration of Order Granting Discovery (Dkt. # 88). Dkt. # 92. "Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence." LCR 7(h)(1). Federal Defendants do not satisfy this standard.

1 In its order granting extra-record discovery, the Court said, “If DOL believes this claim is
2 meritless as a matter of law, it should move to dismiss, so the Court has the benefit of full
3 briefing on this issue. The limited discussion presented thus far does not suffice for the Court to
4 determine whether there is final agency action.” Dkt. # 88 at 4. Federal Defendants say that the
5 Court erred by declining to determine whether there was final agency action because Plaintiffs
6 alleged that DOL took no action regarding the 2022 ESD survey results. Dkt. # 92 at 2. Federal
7 Defendants say that this allegation amounts to an admission that there was no final agency
8 action. *Id.* at 2–3. Plaintiff disagrees, saying that it alleged in the complaint that DOL violated
9 the APA by failing to act for 10 months. Dkt. # 101 at 4.

10 Federal Defendants do not identify any manifest error in the Court’s Order. Accordingly,
11 the Court DENIES the Motion for Reconsideration. Dkt. # 92.

12 Dated this 2nd day of January, 2025.

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14 John H. Chun
15 United States District Judge
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